Hovsepian v. Apple, Inc. Doc. 150 Att. 1

EXHIBIT B

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January 13, 2006

VIA FACSIMILE

Dan Jackson
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Re: In re Acacia Media Technologies Corporation Patent Litigation

Dear Dan:

I am responding to your letter of January 5, 2005 in which you asked whether Acacia will stipulate to the invalidity of the dependent claims of the '702 and claims 10-13 of the '863 patent.

As discussed in more detail in Mr. Dorman's letter of this afternoon to all defendants' counsel, Acacia will request that the parties stipulate that the Court enter judgment of invalidity and non-infringement of the '702 patent pursuant to Fed.R.Civ.P. 54(b) so that Acacia can immediately file an appeal to the Federal Circuit of the Court's rulings on the terms "sequence encoder," "identification encoder," and "transmission system at a first location."

With respect to claims 10-13 of the '863 patent, Acacia will be serving next week its Disclosure of Asserted Claims and Preliminary Infringement Contentions re the '275, '863, and '720 patents on each defendant whom Acacia accuses of infringing one or more of these patents. In these documents, you will see that Acacia is no longer asserting claims 10-13 of the '863 patent against any defendant.

Sincerely,

Alan P. Block

APB:sab

cc: All Counsel of Record (via e-mail)

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